

# New DOJ Screening Effort Keeps Juveniles Out Of Justice System

For Immediate Release

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Since June, dozens of juveniles have been kept from going to court for low-level misdemeanor offenses as part of a new Delaware Department of Justice effort to keep kids from being exposed to the delinquency court system.

Designed by DOJ Family Division Director Abigail Layton, the new DOJ Juvenile Misdemeanor Screening Process has identified approximately 25 percent of the state's charged juvenile misdemeanor cases as cases that could potentially be resolved without a court appearance. Of those cases that are identified, almost half have been resolved since the program's start without the juvenile appearing in court.

Involvement in formal court proceedings can be a traumatic event for juveniles, and although court proceedings are warranted in some cases, DOJ sought to make earlier identification of low-level cases where court was not necessary in order to minimize juvenile exposure, Attorney General Matt Denn said.

The cases identified by the Misdemeanor Screening Process are:

- misdemeanors that do not have identifiable victims, such as property crimes
- driving charges involving incidents where no one was injured
- domestic charges where parents are the alleged victims of misdemeanors committed by their children

Two Deputy Attorneys General now review all such cases on a weekly basis, and defense attorneys are notified of misdemeanor cases that are judged to be candidates for the process. The cases are reviewed by prosecutors based on several criteria, including the evidentiary merit of the cases and the prior record of the defendant. In every domestic case that involves a victim, the victim is interviewed to determine the victim's judgment as to whether a formal court proceeding or an alternative resolution would be best for the family.

"Instead of going to court, the cases are resolved with entry into a diversion program, a plea, or dropping charges," Family Division Director Layton said. "Those are all options that have existed for resolving cases, but the purpose of the program is utilizing those outcomes to focus on low-level cases with a goal of reducing court appearances for the kids and possible delinquency adjudications."

Since the Juvenile Misdemeanor Screening Process began on June 20, 82 misdemeanor cases have been identified as eligible for the program, and 41 of those cases have been resolved without the juvenile needing to appear in court.

"I am very grateful to Family Director Layton and Deputy Attorney General Anthony Longo for developing and implementing this new program to reduce juvenile exposure to the criminal justice system," Attorney General Denn said. "This is an important part of a broader effort to balance public safety and the need to intervene more directly with juveniles committing serious offenses, against our desire to keep juveniles out of the criminal justice system when possible."